

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
SAN JUAN HILL,

Plaintiff,

-against-

JO ANNE B. BARNHART, Commissioner  
Social Security,

Defendant.  
-----X

JUDGMENT  
05-CV- 2188 (NGG)

**FILED**

IN CLERK'S OFFICE  
U.S. DISTRICT COURT, E.D.N.Y.

★ MAY 20 2005 ★

BROOKLYN OFFICE

A Memorandum and Order of Honorable Nicholas G. Garaufis, United States District Judge, having been filed on May 19, 2005, granting plaintiff's request to proceed *in forma pauperis*; dismissing plaintiff's complaint for failure to state a claim upon which relief can be granted; certifying pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from the Court's Memorandum and Order would not be taken in good faith; and denying *in forma pauperis* status for purpose of an appeal; it is

ORDERED and ADJUDGED that plaintiff's request to proceed *in forma pauperis* is granted; that plaintiff's complaint is dismissed; that pursuant to 28 U.S.C. § 1915(a)(3) any appeal from the Court's Memorandum and Order would not be taken in good faith; and that *in forma pauperis* status is denied for the purpose of an appeal.

Dated: Brooklyn, New York  
May 19, 2005

ROBERT C. HEINEMANN  
Clerk of Court